IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Writ Petition No. 726 of 2005 (SS)

Neeraj Kumar Saini
S/o Sri Veer Singh
R/o Village –Sherpur,
Post –Badshahpur
Tehsil & District – Haridwar …….Petitioner

Versus

1. State of Uttaranchal
through Secretary Education, Uttaranchal
Dehradun.

2. Director, Education, Uttaranchal, Dehradun.

3. District Basic Shiksha Adhikari,
Haridwar

4. Committee of Management
Shiksha Raj Junior High School,
Ramnagar, Sultanpur,
(Kunhari), Haridwar ……..Respondents

Sri B.M. Pingal, learned counsel for the petitioner.
Sri Paresh Tripathi learned Standing Counsel for the respondents.

Hon'ble B.C. Kandpal, J.

By way of this Writ Petition, a direction has been sought in the nature of mandamus commanding the respondent no. 2 to decide the representation of the petitioner.

Brief facts giving to this writ petition are that an advertisement was published in newspaper on 13.10.2001 inviting the application to the post of Assistant Teacher in Education Department.

The minimum qualification provided for the post was Intermediate and Teacher's training course was recognized by the State Government or the Board such as Basic Training Certificate.

The petition further reveals that the publication was made in daily newspapers, Hindustan Times which has neither

any circulation nor is read in the localities. While, the advertisement should have been made in Amar Ujala and Danik Jagran which are widely circulated daily newspapers.

It has further been submitted that the petitioner in reply to the advertisement submitted his application but no call letter was issued to him.

The petitioner has further averred that he has moved the representations before the respondent no. 2 on 02.09.2002 and 25.06.2003 with all material facts stating therein that the person appointed on the post of Assistant Teacher does not belong to Uttaranchal. But no decision has yet been taken by the respondent no. 2 on those representations. Hence, this writ petition.

Heard learned counsel for the petitioner as well as learned Standing Counsel for the respondents and perused the record.

The petitioner has invited my attention towards the representations which are annexed as annexure nos. 8 and 9 to this writ petition. But those papers appear to be notice issued by the petitioner instead of the representations.

I, Therefore, direct the petitioner to move the representation before the respondent no. 2 within a period of 15 days giving entire detail therein. The respondent no. 2 thereafter shall decide the representation within a period of 30 days by speaking and reasoned order.

With these observations, the writ petition is finally disposed of.

(B.C. Kandpal, J.)

13th June, 2005
Shiv